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U.S. ARMY CHEMICAL MATERIALS AGENCY

Federal Environmental Laws Governing Chemical Agent Storage and Disposal

The U.S. Army Chemical Materials Agency (CMA) protects and safely stores the nation's aging chemical weapons, while working toward the effective recovery, treatment and ultimate elimination of the nation's chemical warfare materiel to enhance national security.

To ensure the protection of facility workers, the public and the environment, CMA's chemical agent storage and disposal program is governed by a number of federal and state environmental laws. CMA works in partnership with federal and state agencies to comply fully with these laws for the protection of the environment and the safety of workers and the public. In fulfilling its commitment to safety and environmental protection, CMA has developed many standards and practices that go beyond regulatory compliance requirements, and continues to research, develop and implement ways to better protect the environment and the safety of workers and the public.

CMA must comply with many environmental laws and is committed to ensuring that compliance. Below is a brief discussion of some of the laws that have a more significant role in regulating CMA's activities. The discussion focuses on those parts of the law that pertain to CMA's chemical stockpile disposal mission.

Resource Conservation and Recovery Act (RCRA)

- Regulates the generation, transportation, and treatment, storage, or disposal of hazardous waste
- Applies to anyone handling hazardous waste, including the government
- Uses a permit system to enforce rigorous standards on hazardous waste Treatment, Storage, and Disposal Facilities (TSDFs) to protect human health and the environment
- Either the U.S. Environmental Protection Agency (EPA) or a state agency enforces RCRA

All CMA chemical weapons disposal facilities operate under a TSDF permit, RCRA's primary mechanism to ensure that a facility meets rigorous standards to protect human health and the environment. CMA's storage and disposal facilities must also follow rules about labeling, tracking, record-keeping, and reporting based on their status as hazardous waste generators under RCRA. For more information, see the CMA fact sheet, "Compliance and Safety Under the Resource Conservation and Recovery Act."

National Environmental Policy Act (NEPA)

- Requires federal agencies to determine whether any proposed major actions will significantly affect the quality of the environment, and file an Environmental Impact Statement (EIS) for actions that significantly affect the environment
- The EIS examines and explains in detail the environmental impacts of the proposed action and alternatives to the action, including a no-action alternative
- The EIS process mandates public participation, including provisions to allow the public to provide information relevant to the action and its impacts, and to comment on the draft EIS

The Army has conducted EISs for many aspects of its chemical agent disposal program, including EISs for each of its disposal facilities. The EIS process is central to CMA's commitment to safety and environmental protection in the course of its mission to dispose of the nation's chemical weapons.

Clean Air Act (CAA)

- Regulates air emissions from facilities and equipment via a permit system
- Permits set limits on emissions of heavy metals, dioxins and furans, CAA criteria pollutants, and other toxic and hazardous substances

For more information, contact the CMA Public Affairs Office at (410) 436-3629 (800) 488-0648



Federal Environmental Laws Governing Chemical Agent Storage and Disposal (continued)

Clean Air Act (CAA) (continued)

- Requires consolidation of all individual permits at a site into one document to facilitate public information sharing

All CMA chemical agent disposal facilities operate in compliance with the CAA emissions limits set out in the permits. In addition, the Army has set a destruction efficiency rate for chemical agents that is one hundred times lower than the rate set in the facilities' CAA permits.

Toxic Substances Control Act (TSCA)

- EPA is authorized to regulate the manufacture, distribution, use and disposal of new and existing industrial chemicals that pose a risk to human health or the environment
- Important regulated substances include polychlorinated biphenyls (PCBs), asbestos, and chlorofluoroalkanes (CFCs)

The Army's M55 rockets, which contain trace amounts of PCBs in their shipping and firing tubes, are the only chemical warfare item regulated under TSCA. The PCBs are destroyed safely and fully during the incineration process used to destroy the rockets.

Emergency Planning and Community-Right-To-Know Act (EPCRA)

- Establishes requirements for federal, state, and local governments, Indian Tribes, and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals
- Local emergency planners must prepare emergency response plans that include emergency response and public notification procedures, evacuation plans, a training program for emergency responders, and other requirements

- Facilities must provide to emergency responders and local emergency planning officials information about hazardous chemicals held on site, and follow specific emergency notification procedures in the event of a release of a hazardous chemical listed under EPCRA
- Certain facilities must report annually all releases into the environment of hazardous or toxic chemicals as required under the Toxics Release Inventory (TRI) portion of EPCRA

CMA's storage and disposal facilities have worked closely with local emergency management officials to set up emergency notification procedures that meet community emergency response needs. Beyond fulfilling its EPCRA requirements, CMA works in partnership with the Federal Emergency Management Agency and local emergency management officials to bring federal resources and expertise to emergency planning and preparedness efforts. For more information, see the Chemical Stockpile Emergency Preparedness and Prevention (CSEPP) information on the CMA Web site, www.cma.army.mil

Online References

For information about these and other federal environmental laws, visit www.epa.gov/epahome/laws.htm

For information about CMA's chemical weapons disposal program and other mission areas, visit www.cma.army.mil